

UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY	
GENOVA BURNS LLC Daniel M. Stolz, Esq. Donald W. Clarke, Esq. Susan A. Long, Esq. Jaclynn N. McDonnell, Esq. dstolz@genovaburns.com dclarke@genovaburns.com slong@genovaburns.com jmcdonnell@genovaburns.com 110 Allen Road, Suite 304 Basking Ridge, NJ 07920 Tel: (973) 533-0777 Fax: (973) 814-4045 <i>Proposed Local Co-Counsel for the Official Committee of Unsecured Creditors</i>	BROWN RUDNICK LLP Robert J. Stark, Esq. Kenneth J. Aulet, Esq. Bennett S. Silverberg, Esq. Jeffrey L. Jonas, Esq. rstark@brownrudnick.com kaulet@brownrudnick.com bsilverberg@brownrudnick.com jjonas@brownrudnick.com Seven Times Square New York, NY 10036 Tel: (212) 209-4800 Fax: (212) 209-4801 <i>Proposed Co-Counsel for the Official Committee of Unsecured Creditors</i>
In re: POWIN, LLC, <i>et al.</i> , ¹ Debtor.	Chapter 11 Case No.: 25-16137 (MBK) (Jointly Administered) Honorable Michael B. Kaplan

**DECLARATION OF THE OFFICIAL COMMITTEE OF
UNSECURED CREDITORS OF POWIN, LLC, ET AL IN SUPPORT OF OFFICIAL
COMMITTEE OF UNSECURED CREDITORS' APPLICATION FOR ENTRY OF
AN ORDER AUTHORIZING THE EMPLOYMENT AND RETENTION OF
GENOVA BURNS LLC AS LOCAL CO-COUNSEL TO THE COMMITTEE
NUNC PRO TUNC TO JUNE 27, 2025**

I, CARL KIM on behalf of ACE Engineering & Co. Ltd., solely in its capacity as Chair of the Official Committee of Unsecured Creditors of Powin, LLC, et al., pursuant to 28 U.S.C. § 1746, to the best of my knowledge and belief, and after reasonable inquiry, declare:

1. The Official Committee of Unsecured Creditors of Powin, LLC, et al. (the “**Committee**”) submits this Declaration (the “**Declaration**”) pursuant to *Appendix B, Section D(2) of the United States Trustee’s Guidelines for Reviewing Applications for Compensation and Reimbursement of Expenses Filed*

¹ The Debtors in these Chapter 11 Cases, along with the last four digits of each Debtor’s federal tax identification number, are: (i) Powin Project LLC [1583]; (ii) Powin LLC [0504]; (iii) PEOS Holdings, LLC [5476]; (iv) Powin China Holdings 1, LLC [1422]; (v) Powin China Holdings 2, LLC [9713]; (vi) Charger Holdings, LLC [5241]; (vii) Powin Energy Ontario Storage, LLC [8348]; (viii) Powin Energy Operating Holdings, LLC [2495]; (ix) Powin Energy Operating, LLC [6487]; (x) Powin Energy Storage 2, Inc. [9926]; (xi) Powin Energy Ontario Storage II LP [5787]; (xii) Powin Canada B.C. Ltd. [2239]. The Debtors’ mailing address is 20550 SW 115th Avenue, Tualatin, OR 97062.

under 11 U.S.C. § 330 by Attorneys in Larger Chapter 11 Cases, effective as of June 11, 2013 (the “**US Trustee Fee Guidelines**”).

2. The Committee restates and reaffirms, as if set forth at length herein, the representations made in the Committee’s *Application for Entry of an Order Authorizing the Employment and Retention of Genova Burns, LLC as Local Co-Counsel for the Official Committee of Unsecured Creditors Nunc Pro Tunc to June 27, 2025* (the “**Application**”), filed July 25, 2025. [Doc 527]

3. In its efforts to satisfy the requirements set forth in Appendix B, Section D(2) of the US Trustee Fee Guidelines, the Committee has secured the *Declaration of Daniel M. Stolz, Esq. in Support of Official Committee of Unsecured Creditors’ Application for Entry of an Order Authorizing the Employment and Retention of Genova Burns, LLC as Local Co-Counsel to the Committee Nunc Pro Tunc to June 27, 2025* (the “**Stolz Declaration**”), filed July 25, 2025. [Doc 527-1]

4. In the Stolz Declaration “Genova Burns has assured the Committee that the rate structure provided by Genova Burns is not significantly different from the rates that (a) Genova Burns charges for other non-bankruptcy engagements or (b) other comparable counsel would charge to do work substantially similar to the work Genova Burns will perform in these Chapter 11 Cases. Furthermore, Genova Burns does not vary its rate based on geographic location. *See* Stolz Declaration, paragraph 20.

5. After reviewing not less than four (4) firms to serve as counsel, the Committee has selected Genova Burns because it has substantial experience appearing before the courts in this district and is familiar with local practice and procedure. The Committee has determined that the retention of local counsel is necessary in these Chapter 11 Cases and submits that employment of Genova Burns would be in the best interest of the creditors, in part, because the Committee can delegate routine matters to the less expensive rate structure of Genova Burns. Genova Burns’ extensive practice before this Court and knowledge of the local rules and practices make it substantively and geographically ideal to efficiently serve the needs of the Committee.

8. In order to manage costs related to Genova Burns' fees and expenses, the Committee anticipates the receipt of the professionals' budget which will include the expected costs associated with Genova Burns' retention, the Committee understands that Genova Burns will maintain detailed, contemporaneous records of time and any necessary costs and expenses incurred in connection with rendering legal services and that application will be made for all disbursements and expenses incurred in the rendition of the services. Prior to the submission of any such application, the Committee will review such applications for deviation in the anticipated costs.

15. By reason of the foregoing, the Committee believes Genova Burns is eligible for employment and retention by the Committee pursuant to section 327(a) of the Bankruptcy Code and the applicable Bankruptcy Rules and Local Rules.

16. I hereby declare under the penalty of perjury that the foregoing is true and correct.

Dated: August __ 2025

**THE OFFICIAL COMMITTEE OF
UNSECURED CREDITORS**

Signed by:

/s/

Carl Kim

*Carl Kim on behalf of ACE Engineering & Co.
Ltd., solely in its capacity as Chair of the Official
Committee of Unsecured Creditors of Powin,
LLC, et al.*